



Department of Justice

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Eastern District of California

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NEAR COLLISION AT BISHOP AIRPORT LEADS TO FEDERAL INDICTMENT OF HUMBOLDT COUNTY RESIDENT

FRESNO, Calif.—Acting United States Attorney Lawrence G. Brown announced today that a federal grand jury sitting in Fresno indicted MICHAEL DANA McENRY, 55, of Bridgeville, Calif., with operating a single-engine Cessna without a pilot's license and doing so in relation to a conspiracy to distribute marijuana.

This case is the product of an investigation by the Air and Marine Operations Center of U.S. Customs and Border Protection with assistance from the Inyo County Sheriff's Department and the Humboldt County Drug Task Force.

According to Assistant United States Attorney Karen A. Escobar, who is prosecuting the case, on January 6, 2009, McENRY tried to land at the Eastern Sierra Regional Airport in Bishop, Calif. He was flying recklessly and nearly crashed into an aircraft that was preparing for take off on another runway. McENRY touched down and then went off the runway into sage brush, made a U-turn back on to the runway, and parked the plane. Upon entering the terminal, the defendant said, "I just scared the s--- out of myself." He then asked, "Where am I?" When he was advised that he was in Bishop, he responded, "Where is that in relationship to the rest of the world?"

An Inyo County Sheriff's Office deputy responded to the airport and administered field sobriety tests, which McEnry failed. The deputy conducted a consent search and found a prescription bottle that purportedly contained oxycontin pills. He admitted to the deputy that he did not have a license to fly.

McENRY was arrested on February 3, 2009 in Humboldt County and was subsequently detained by a U.S. Magistrate Judge sitting in San Francisco, who ordered him transported to Fresno to answer the charge. McENRY appeared in federal court in Fresno on February 4, 2009 where he was also detained by U.S. Magistrate Judge Sandra M. Snyder based on his long criminal history and numerous outstanding warrants and failures to appear in court. He is scheduled to appear before Judge Snyder on Friday, February 6, 2009 for a preliminary hearing.

If convicted, McENRY faces a sentence of five years in prison and a fine of \$250,000. The actual sentence, however, will be determined at the discretion of the court after consideration of the Federal Sentencing Guidelines, which take into account a number of variables and any applicable statutory sentencing factors.

The charges are only allegations and the defendant is presumed innocent until and unless proven guilty beyond a reasonable doubt.

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